

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SITE UPDATE SOLUTIONS LLC	§	
	§	
vs.	§	CASE NO. 2:10-CV-151-DF-CE
	§	
ACCOR NORTH AMERICA, INC., ET AL.	§	

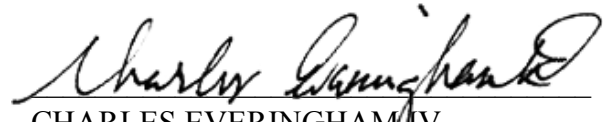
ORDER

Pending before the court is the Defendants’¹ motion to transfer venue to the Northern District of California (Dkt. No. 373). In response to Defendants’ motion, Plaintiff merely states that it disagrees with the contentions and allegations in Defendants’ motion and provides no explanation as to why those contentions are incorrect. Plaintiff goes on to state that it is agreeable to the transfer if the court deems that such transfer is in the interests of justice of all the parties (Dkt. No. 410).

Having carefully considered Defendants’ transfer arguments in the context of the 28 U.S.C. § 1404(a) *forum non conveniens* factors, the court concludes that Defendants have met their burden of proving that the Northern District of California is “clearly more convenient” than the Eastern District of Texas. *See In re Volkswagen of Am., Inc.*, 545 F.3d 304, 315 (5th Cir. 2008) (en banc). Accordingly, the court GRANTS Defendants’ motion to transfer venue to the Northern District of California.

¹ Although defendants Enterprise Rent-A-Car Company, CDW LLC, and Wal-Mart Stores, Inc. have not joined in this motion to transfer venue, they do not oppose it.

SIGNED this 8th day of June, 2011.



CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE